

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MORGAN STANLEY SMITH BARNEY LLC,)
Plaintiff,)
v.)
JULIE KNIGHT,)
Defendant.)

No. 5:19-CV-1933

ORDER

CJL
TEN DAY RESTRAINING ORDER

AND NOW, this 6 day of May, 2019 upon consideration of the Complaint and supporting papers of Morgan Stanley Smith Barney LLC ("Morgan Stanley"), and having determined that:

1. The rights of Morgan Stanley with respect to its property, proprietary and confidential information, competitive interests, and contract with the Defendant are being and will continue to be violated unless the Defendant is restrained therefrom, ALLEGEDLY AT RISK AND UNTIL A HEARING CAN BE HELD AT RISK CPL.
2. Morgan Stanley will suffer irreparable harm and loss if the Defendant is permitted to convert the property of Morgan Stanley to her own personal use and benefit, and that of her new employer, Janney Montgomery Scott LLC ("Janney"), and solicit Morgan Stanley clients; cpl
3. Morgan Stanley has no adequate remedy at law;
4. Greater injury will be inflicted upon Morgan Stanley by the denial of injunctive relief than would be inflicted upon the Defendant by the granting of such relief; and
5. The issuance of injunctive relief will not disserve the public interest.

IT IS HEREBY ORDERED AND DECREED THAT:

1. A Temporary Restraining Order issue immediately and that security in the amount of \$50,000, be posted no later than the 10TH day of May, 2019; ** PARTIES MAY STIPULATE TO A DIFFERENT SUM.* *gjv*
2. The Defendant is immediately enjoined and restrained, directly or indirectly, and whether alone or in concert with others, including any officer, agent, employee, and/or representative of Janney, until further Order of this Court, from doing any of the following:

- (i) Soliciting the business of any customers of Morgan Stanley whom the Defendant serviced, or whose names became known to the Defendant while in the employ of Morgan Stanley or as a result of her employment with Morgan Stanley, with respect to securities, commodities, financial futures, insurance, tax advantaged investments, mutual funds, or any other line of business in which Morgan Stanley or any of its affiliates is engaged (excluding members of the Defendant's family);
- (ii) Using, disclosing, or transmitting for any purpose, any records, documents, or information relating in any way to the clients, business or marketing strategies, or business operations of Morgan Stanley, whether in original, copied, computerized, handwritten, or any other form (hereafter the "Records and Information");
- (iii) Retaining, in any form, including without limitation

original, copied, computerized, handwritten or any other form, any

Records and Information;

(iv) Any and all other such acts as this Court deems appropriate for injunctive relief.

3. The Defendant, and anyone acting in concert or participation with her,

including any agent, employee, officer or representative of Janney, are further ordered to ~~retain~~ MAINTAIN

AND PRESERVE AND NOT DISSEMINATE ALL

Morgan Stanley all Records and Information, whether in original, copied, computerized,

handwritten or any other form, and to ~~remove~~ KEEP FOR COURT REVIEW AND DISCOVERY

possession, custody, or control, after providing all such information to Plaintiff's counsel, within

DEFENDANT MUST PRESERVE ALL HER MORGAN EMAILS AND ALL twenty-four (24) hours of notice to the Defendant or her counsel of the terms of the Court's

Order:

4. Pursuant to the requirements of sections 3 and 4 of the Federal Arbitration

Act, 9 U.S.C. §§ 3-4, the parties are directed to proceed to expedited arbitration hearings on the merits before a duly appointed panel of arbitrators pursuant to Rule 13804 of the FINRA Code of

Arbitration Procedure.

4. A HEARING SHALL BE HELD ON THIS TWO AT
8:30 AM, FRIDAY, MAY 10TH, 2019, COURTROOM 6A - 6TH MARKET
SO ORDERED. *COUNSEL SHALL PRODUCE AN AGREED UPON
SCHEDULING ORDER FOR THE PRELIM
INJUNCTION HEARING. COUNSEL
MAY STIPULATE TO A DIFFERENT
DATE WITH RESTRICTIONS IF
DEEMS NECESSARY

May 6, 2019 at 11:20 o'clock A.m.

BY THE COURT:

C. J. KENNEY
U.S.D.J.

KENNEY